

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s)	: Berman, Mitchell F.	Customer No.	: 21003
Serial No.	: 10/804,250	Confirmation No.	: 7474
Filed	: 03/19/2004	Group Art Unit	: 3771
Examiner	: Matter, Kristen Clarette		
For	: Integrated Anesthesia Machine		

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**  
**UNDER 37 C.F.R. §1.181(a)**

Mail Stop **PETITION**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On January 20, 2006, Applicants mailed the following documents to the USPTO by first class mail (attached as Exhibit 1):

1. Transmittal Form (1 page);
2. Recordation Form Cover Sheet (2 pages);
3. Assignment (2 pages);
4. Revocation of Power of Attorney (1 page); and
5. Return Receipt Postcard (1 page).

The Notice of Recordation mailed April 19, 2006 (Exhibit 2) indicated that the Assignment document was recorded on January 25, 2006 at Reel **017494**, Frame **0302**. However the Revocation of Power of Attorney was never entered and as a result the correspondence address was never changed.

Then, on June 22, 2007, a Non-Final Office Action was mailed to Brown Raysman. This Office Action was not forwarded to us until January 14, 2008, which was after

the final response deadline of December 22, 2007.

In recently reviewing the Notice of Recordation, Applicants noticed that three pages of Assignment documents were recorded. However, the submitted Assignment was only two pages long. Therefore, it is Applicants' belief that the Revocation of Power of Attorney was mistakenly recorded with the Assignment document instead of being forwarded to the proper Mail Stop. If required, Applicants can provide a certified copy of the recorded Assignment showing this error.

Applicants therefore believe that the abandonment for the above-identified patent application should be withdrawn because the Non-Final Office Action was mailed to the wrong address by the USPTO as a result of the Revocation and Power of Attorney not being entered. Applicants also request that a new period of reply be set for responding to the Office Action.

Applicants believes that there is no fee required with this communication. However, if any fees are required, the Commissioner is hereby authorized to charge payment of any fees relating to this communication to Deposit Account No. 02-4377.

Respectfully submitted,

BAKER BOTTS L.L.P.

/David Schalk/  
David Schalk  
Patent Office Reg. No. 60,527  
Paul A. Ragusa  
Patent Office Reg. No. 38,587  
Attorneys for Applicant  
30 Rockefeller Plaza  
44th Floor  
New York NY 10112  
(212) 408-2500